

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
v.) Case No. 4:13 CR 287 SNL J/DDN
)
)
ULYSSES ROBERTS,)
)
Defendant.)

MOTION TO STRIKE

COMES NOW undersigned, counsel for defendant Ulysses Roberts, and moves the court to strike Document #54. Counsel's motion is based on the following.

Defendant Ulysses Roberts is represented in the instant matter by attorney of record, Susan S. Kister. On or before April 16, 2014, the defendant mailed to the court a handwritten letter discussing matters pertaining to his case. On April 16, 2014 the letter was received by the court, and on April 17, 2014, with neither the knowledge nor consent of the undersigned, the letter was filed by the court and docketed as Document #54. While the letter was intended by the defendant to be a letter of allocution for sentencing purposes, the defendant mailed the letter to the court rather than to undersigned counsel. Because the letter references matters pertaining to an open case; was not proffered to the court by counsel; was not mailed to the court at the direction of counsel; and because its contents are for all purposes confidential and privileged as defendant is represented by counsel, the letter in its entirety should be stricken from the record.

Wherefore, undersigned counsel respectfully requests that Document #54 be stricken.

Respectfully submitted,

s/Susan S. Kister

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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of April, 2014, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system on the following:

Assistant United States Attorney John Mantovani
John.mantovani@usdoj.gov.

s/Susan S. Kister

SUSAN S. KISTER,
Attorney for Defendant Ulysses Roberts